

DANIEL G. BOGDEN
United States Attorney
CRANE M. POMERANTZ
Assistant United States Attorneys
333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101
(702) 388-6336
Fax: (702) 388-5087

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

-oOo-

UNITED STATES OF AMERICA,)	
)	2:11-cr-00066-LDG-LRL
Plaintiff,)	2:11-cr-00067-ECR-LRL
)	
VS.)	MOTION TO CONSOLIDATE
)	
ASHLEY FOYLE and)	
DAVID FREEMAN)	
)	
Defendant.)	
_____)	

The United States, by Daniel G. Bogden, United States Attorney, and Crane M. Pomerantz, Assistant United States Attorney, moves the Court to consolidate the above-captioned cases under a single case number, preferably 2:11-cr-00066-LDG-LRL, as set forth below:

1. The defendants were charged in the Central District of California relating to a joint scheme to import prescription drugs from India and subsequently sell them in the United States. The two defendants are business partners and are alleged to have engaged in similar conduct.

2. In mid-2010, as a courtesy to the defendants, prosecutors with the United States Attorney's Office in the Central District of California asked this office if it would be willing to accept a Rule 20 disposition of the cases in the District of Nevada. Thereafter, the

1 defendants, a representative of the United States Attorney's Office in the Central District of
2 California and United States Attorney Bogden signed a Consent to Transfer of Case for Plea and
3 Sentence. In February 2011, the case was formally transferred to the District of Nevada so that the
4 defendants could enter their pleas and be sentenced here.

5 3. Several reasons justify consolidation. First, the cases against the two
6 defendants emanate from the same conduct. Second, the District of Nevada has been assured that
7 the cases have been negotiated and that no substantial issues at sentencing are anticipated (indeed,
8 that is a condition of our agreement to accept transfer). Final disposition of these case should be
9 achieved relatively quickly. As such, the United States submits that it is more efficient for a judge
10 based in Las Vegas (Judge George), as opposed to a judge based in Reno (Judge Reed), to preside
11 over these matters.

12 4. For all of the foregoing reasons, the United States respectfully requests that
13 the Court enter an Order consolidating these two cases under 2:11-CR-66-LDG-LRL.

14 **DATED** this 11th day of March 2011.

15 Respectfully submitted,
16 DANIEL G. BOGDEN
United States Attorney

17 /s/ Crane Pomerantz
18 CRANE M. POMERANTZ
Assistant United States Attorney

19 **So Ordered:**

20 
21 United States District Judge

22
23 18 MAR 2011
Date